START 3

Superfund Technical Assessment and Response Team 3 - Region 8



United States
Environmental Protection Agency
Contract No. EP-W-05-050

PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA) REPORT

EATON SUGAR BEET FACTORY
TARGETED BROWNFIELDS ASSESSMENT (TBA)
Eaton, Weld County, Colorado

TDD No. 0912-06

January 14, 2010



In association with:

Garry Struthers Associates, Inc.
LT Environmental, Inc.
TechLaw, Inc.
Tetra Tech EM, Inc.
TN & Associates. Inc.

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January 14, 2010

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SUBJECT:

START 3, EPA Region 8, Contract No. EP-W-05-050, TDD No. 0912-06

Phase I ESA Report - Eaton Sugar Beet Factory Targeted Brownfields Assessment

(TBA) Eaton, Weld County, Colorado

Dear Bill:

Attached is one copy of the final Phase I Environmental Site Assessment (ESA) Report for the Eaton Sugar Beet Factory TBA, Eaton, Weld County, Colorado. Per your request I have sent final copies of this report to Gary Carsten, Town Administrator for the Town of Eaton, Deb Phenecie, with the Colorado Brownfields Foundation, Mark Rudolph, with the Colorado Department of Public Health and the Environment, and Stephanie Salazar, with Salazar & Associates Economic Development Consulting Services. A property reconnaissance was conducted on December 22, 2009. This document is submitted for your review and approval.

If you have any questions, please call me at 303-291-8272.

Very truly yours,

URS OPERATING SERVICES, INC.

Jeremiah Ervin
Project Manager

Attachment

cc:

Charles W. Baker

w/o attachments

File/UOS

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PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

EATON SUGAR BEET FACTORY TBA Eaton, Weld County, Colorado

EPA Contract No. EP-W-05-050 TDD No. 0912-06

Prepared By:
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Approved:	Jeremiah Ervin, START 3 Project Manager, UOS	Date: 1/14/2010

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PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

EATON SUGAR BEET FACTORY Eaton, Weld County, Colorado

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1.0 INTRODUCTION

This document is submitted in accordance with the task elements specified in Technical Direction Document (TDD) 0912-06 dated December 11, 2009, issued to URS Operating Services, Inc. (UOS) Superfund Technical Assessment and Response Team 3 (START) in Region 8 of the U.S. Environmental Protection Agency (EPA). The purpose of this TDD is to perform a Targeted Brownfields Assessment (TBA) at the Eaton Sugar Beet Factory (ESBF) property in Eaton, Weld County, Colorado.

The town of Eaton has requested assistance from the EPA with characterizing environmental conditions for the ESBF property in Eaton, Weld County, Colorado (Figure 1). The town intends to redevelop the property into an industrial business park that is rail served with a mini-transload facility. The town's goal is to eliminate the public hazard, and attract sustainable businesses in existing and emerging industries, which will bring jobs and revenue to the town and the region (TEC 2009c). This Phase I includes a report on the current property conditions, a compilation of existing data, and a review of related information in federal, state, local, and tribal environmental databases. The property reconnaissance was conducted by environmental professionals Jeremiah Ervin and Barry Hayhurst (START) on December 22, 2009, and is documented in the project log book and photolog. The property reconnaissance was conducted off the property by observing its boundaries due to not having access granted to the property by the current owner.

1.1 PURPOSE

The purpose of this Phase I is to identify recognized environmental conditions in connection with the property. Specifically, the objectives of this Phase I are to:

- Conduct interviews with the present and past owners, operators, and occupants of the property and
 a property reconnaissance of the property with the EPA, town of Eaton representatives, and other
 concerned representatives;
- Review historical data regarding property use and investigative activities that have been performed at and near the property;
- Characterize existing recognized environmental conditions related to the presence or likely presence of any hazardous substances or petroleum products that present a material risk of harm to public health or the environment; and

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■ Prepare a report, summarizing issues on the property that may require further investigation or

action.

Recognized environmental conditions are defined in ASTM International standard E 1527-05 as the

presence or likely presence of any hazardous substances or petroleum products on a property under

conditions that indicate an existing release, a past release, or a material threat of a release of any

hazardous substances or petroleum products into structures on the property or into the ground, ground

water, or surface water of the property. The term includes hazardous substances or petroleum products

even under conditions in compliance with laws. The term is not intended to include de minimis

conditions that generally do not present a threat to human health or the environment and that generally

would not be the subject of an enforcement action if brought to the attention of appropriate

governmental agencies. Conditions determined to be de minimis are not recognized environmental

conditions (ASTM International (ASTM) 2005).

1.2 DETAILED SCOPE OF SERVICES

The scope of this Phase I includes research and reporting requirements that support the TBA Grantees'

desire to take over ownership of the property and redevelop the property into an industrial business

park that is rail served with a mini-transload facility.

The scope of services follows standards documented in the ASTM Standard Practice for

Environmental Site Assessments: Phase I Environmental Site Assessment Process with ASTM

International designation: E 1527-05 (ASTM 2005). This scope of services may be modified by EPA

as more information regarding property conditions becomes available.

1.3 SIGNIFICANT ASSUMPTIONS, LIMITATIONS, AND EXCEPTIONS

During the property reconnaissance, access on to the property was not granted by the current owner.

Property grounds and structures could not be evaluated at this time. If or when the town of Eaton

takes over ownership of the ESBF property, another property reconnaissance should take place and

significant assumptions, limitations, and exceptions should be re-evaluated for the property.

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2.0 PROPERTY DESCRIPTION

2.1 LOCATION AND LEGAL DESCRIPTION

The ESBF property is located in Eaton, Weld County, Colorado (Figure 1). The ESBF property covers approximately 43.11 acres and is bordered by residential housing, commercial real estate, and industrial businesses (TEC 2009c). The ESBF property is located on the east side of US Highway 85, northeast of east Collins Street/Weld-CR 74 (Figure 2). The legal description of the property is the southeast quarter of the southwest quarter of Section 31, T.7 N., R. 65 W. (U.S. Geological Survey (USGS) 1975). The geographic coordinates of the property are 40° 31' 36.423" north latitude and 104° 42'4.73" west longitude (USGS 1975).

2.2 PROPERTY AND VICINITY GENERAL CHARACTERISTICS

The ESBF property currently exists with two dilapidated houses; a four story building that historically was used as the old Western Sugar factory main building, which is connected to the old boiler house, machine shop, and lime house; a large brick building that was historically used as the old Western Sugar warehouse; an old brick building that was used historically as an office; a lime pile where lime was historically disposed of after being used in the purification process of making sugar (Photos 3,4,6,10,14, and 16-21).

2.3 CURRENT USE OF THE PROPERTY

The ESBF property is currently abandoned and not being used for any commercial purpose. Graffiti, evidence of vandalism and salvaging of both the inside and outside of the main structures on the property are evident (Appendix D). Apparently local kids have use the lime pile on northeast section of the property for biking trails, apparent by the eroded tracks evident on the pile (Photos 7,8, and 22). The town of Eaton assumes that local kids use the structures on the property for exploring due to no barriers being in place stopping access into the structures on the property (TEC 2009a).

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2.4 DESCRIPTIONS OF STRUCTURES, ROADS, AND OTHER SITE IMPROVEMENTS

The ESBF property is developed with two dilapidated houses and three main brick structures; sugar factory main building, sugar warehouse, and the office. The three main brick structures were built in 1902 and construction materials consist of a fireproof construction with concrete and steel flooring and roofing and brick side walls (Appendix C). The two dilapidated houses are wood framed with a stone brick base and a wooden shingled roof (Photos 19-21). A concrete driveway runs on the north side of the two houses up to an unattached garage that is constructed of the same materials as of the two houses and a storage shed constructed of a brick frame with a wooden shingle roof. The area of the property surrounding the building structures is mostly unpaved, populated with dense weed growth, and has areas that are scattered with junk metal and trash. The buildings on the property have been extremely vandalized which is apparent by the broken windows and graffiti on the buildings (UOS 2009).

The interior of the structures on the property could not be evaluated by START for this Phase I ESA report due to not having access to the ESBF property at the time of the site reconnaissance, only the exterior was evaluated at this time.

The Colorado Department of Public Health and the Environment (CDPHE) Air Pollution and Control Division (APCD) conducted inspections of the interior and exterior of the sugar factory main building on the ESBF property in 1992, 1993, 2003 and 2004. A CDPHE APCD inspection report dated June 24, 2004 revealed the exterior of the main building had penetrations into the building envelope, asbestos (Transite) in small amounts, and evidence of entry into the main building from many access points were apparent. The interior of the main building showed many penetrations in the building envelope, more than what could be seen from the exterior. Large amounts of, severely damaged and deteriorated, thermal surfacing insulation observed through out the main building. Many areas of the main building were under strong positive pressure which makes a good likelihood that asbestos fibers could be escaping the building. The interior and exterior of the main building had large amount of graffiti and vandalism that appeared recent during the inspection (Appendix D).

Three process water wells, that were used for providing process water to the Great Western Sugar Beet Factory when it was up and operating are no longer in service and are located on and around the current ESBF property. START personnel were able to identify these during the property reconnaissance (TEC 2009a)(Photos 1, 2, and 15).

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2.5 CURRENT USES OF THE ADJOINING PROPERTIES

Eaton Commons subdivision and lower income residential housing primarily make up the property to the north and northeast of the ESBF property (Figure 2) (Photos 22 and 23). Adjacent to the west and northwest is Agland Feed LLC. Agland, Inc., is one of the largest northern Colorado, farmer-owned cooperatives. Agland serves the needs of customers in the agricultural, commercial and retail markets. Agland Inc is made up of 5 divisions; Agronomy Division, Feed Division, Petroleum Division, Retail Division, and TBA/Bandag Division (Agland 2006). To the south and southwest industrial businesses and commercial retail make up the adjacent area (Figure 2).

3.0 TBA GRANTEE-PROVIDED INFORMATION

3.1 TITLE RECORDS

The current ownership of the property is recorded as Clean Energy LLC, c/o Dick Thomas (TEC 2009). The property has been under the ownership of Mr. Thomas since 1980. There are no ownership records prior to when the Great Western Sugar Company (GWS) conveyed ownership of the property to Mr. Thomas in 1980 (TEC 2009a).

3.2 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

Both land parcels that make up the ESBF property (Weld County Parcel ID# 070931300022 and Weld County Parcel ID# 070931300019) have multiple years of delinquent property taxes. The Town of Eaton has purchased the tax liens on the parcels and applied for the Treasurer's Deed for both parcels. The current property owner has 90 days to redeem the property. If the tax liens are not redeemed the first parcel will go to the town as of January 29, 2010, and the second parcel will transfer to the town on February 26, 2010 (TEC 2009a).

3.3 SPECIALIZED KNOWLEDGE

Based on the former use of the property as a sugar beet factory, as well as a visual inspections performed by the CDPHE APCD in 1992, 1993, 2003 and 2004, there is evidence of hazardous materials on the property including asbestos in a friable condition, possible herbicides or pesticides, lime pits, and possible petroleum residue. There are dilapidated buildings on the

property, some which will be salvaged and others which may not. Numerous lime piles were produced as a byproduct of the sugar beet factory with an unknown depth (TEC 2009c).

3.4 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION

Construction of the building structures on property took place during the time period when lead-based paint, asbestos-containing building materials, and polychlorinated biphenyl (PCB) oils were commonly used in building construction and electrical components.

3.5 VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

At this time there is no documented valuation reductions for the ESBF property due to environmental issues. There could be valuation reduction issues in the future due to the CDPHE APCD identifying asbestos in the main building on the ESBF property in 2004.

3.6 OWNER, PROPERTY MANAGER, AND OCCUPANT INFORMATION

No special information was provided by the property owner for this Phase I ESA. Mr. Floyd Foster a former employee of the Eaton Great Western Sugar (GWS) factory was able to give a good amount of information concerning the history of the ESBF property. The town of Eaton provided a Targeted Brownfields Assessment Application and CDPHE APCD Inspection reports for the ESBF property. The following information that was obtained from Mr. Foster and the town of Eaton is summarized in the appropriate sections of this report.

3.7 REASON FOR PERFORMING PHASE I

The town of Eaton, Colorado is a residential community with a population of 4,000. There is some commercial retail and industrial business in town, but most residents commute to work and shop outside of town. The town wants to redevelop the ESBF property as an Industrial business park that is rail served with a mini-transload facility. The goal is to eliminate the public hazards, and attract sustainable businesses in existing and emerging industries, which will bring jobs and boost revenue to the town and the region (TEC 2009c).

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4.0 RECORDS REVIEW

Records reviewed included an Environmental Data Resources, Inc. (EDR) Radius Map with GeoCheck[®], a Sanborn Map search, and a Historical Aerial Map report (Appendix C). A complete copy of the federal, state, and local database search results is included as Appendix C.

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

The following databases were searched for information about the ESBF property within the distances listed in Table A.

TABLE A
Search Distances for Databases

Source	Approximate Search Distance (miles)
Federal NPL List	1.0
Federal Delisted NPL site list	1.0
Federal CERCLIS List	0.5
Federal CERCLIS NFRAP site list	0.5
Federal RCRA CORRACTS facilities list	1.0
Federal RCRA non-CORRACTS TSD facilities list	0.5
Federal RCRA generators list	0.25
Federal institutional control/engineering control registries	0.5
Federal ERNS list	property only
State and Tribal landfill and/or solid waste disposal site lists	0.5
State and Tribal leaking storage tank lists	0.5
State and Tribal registered storage tank lists	0.25
State and Tribal voluntary cleanup sites	0.5
State and Tribal Brownfields sites	0.5

NPL National Priority List

CERCLIS Comprehensive Environmental Response, Compensation, and Liability Information System

NFRAP No Further Remedial Action Planned
RCRA Resource Conservation and Recovery Act
CORRACTS Facilities subject to corrective action under RCRA.
TSD Hazardous Waste Treatment, Storage, or Disposal
ERNS Emergency Response Notification System

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4.1.1 Federal NPL List

No Federal NPL listed sites were identified within 1.0 miles of the EDR radius search point.

4.1.2 Federal Delisted NPL Site List

No Federal Delisted NPL sites were identified within 1.0 miles of the EDR radius search point.

4.1.3 Federal CERCLIS List

No Federal CERCLIS sites were identified within 0.5 miles of the EDR radius search point.

4.1.4 Federal CERCLIS NFRAP Site List

No Federal CERCLIS NFRAP sites were identified within 0.5 miles of the EDR radius search point.

4.1.5 Federal RCRA CORRACTS Facilities List

No Federal RCRA CORRACTS Facilities sites were identified within 1.0 miles of the EDR radius search point.

4.1.6 Federal RCRA non-CORRACTS TSD Facilities List

No Federal RCRA non-CORRACTS TSD Facilities sites were identified within 0.5 miles of the EDR radius search point.

4.1.7 Federal RCRA Generators List

One Federal RCRA Generator was identified within 0.25 miles of the EDR radius search point. The Agland Inc property at 260 Factory Rd is a conditionally exempt small quantity generator and according to the EDR Radius Map with GeoCheck ® no violations have been found. However, a release from Agland Inc could potentially create air, soil, surface water,

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and/or groundwater contamination at the ESBF property due to its close proximity. This RCRA Generator may warrant further inspection during the Phase II investigation.

4.1.8 Federal Institutional Control/Engineering Control Registries

No Federal Institutional Control/Engineering Control Registries were identified within 0.5 miles of the EDR radius search point.

4.1.9 Federal ERNS List

No Federal ERNS sites were identified at the property.

4.1.10 State and Tribal Landfill and/or Solid Waste Disposal Site Lists

No State and Tribal Landfill and/or Solid Waste Disposal sites were identified within 0.5 miles of the EDR radius search point.

4.1.11 State and Tribal Leaking Storage Tank Lists

Three Leaking Underground Storage Tank (LUST) sites are located within one-half mile of the ESBF property, according to the EDR Radius Map with GeoCheck. ®

LUST Sites:

- Agland Inc 55 S Oak Street
- Eaton School Bus Garage 114 Park Avenue
- Sky Shop 402 Oak Street

Two of the LUST sites (Agland Inc and Eaton School Bus Garage) are potentially of concern due to their location west of the ESBF property. The S/SE nature of groundwater flow would cause any potential release from these two LUST sites to potentially result in subsurface soil and/or groundwater contamination to the ESBF property. This may warrant further inspection during the Phase II investigation.

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4.1.15 State and Tribal Brownfields Sites

No State or Tribal Brownfields Sites were identified within 0.5 miles of the EDR radius search point.

4.2 PHYSICAL SETTING INFORMATION SOURCES

4.2.1 Topographic Characteristics

The ESBF property is located in the South Platte River basin of Northern Colorado. The topography is generally flat and the surrounding land usage is generally irrigated crop and grazing land. The ESBF property is located on the southeast edge of the town of Eaton at an elevation of 4,826 feet above mean sea level (Appendix C). The climate in the Eaton, Colorado area is semiarid. The mean annual precipitation as totaled from the University of Delaware (UD) database is 14 inches. The net annual precipitation as calculated from precipitation and evapotranspiration data obtained database is 1.61 inches (University of Delaware 1986). The database is 1.61 inches approximately 1.5 inches

4.2.2 Geology

The ESBF property lies in the plains of Eastern Colorado. Quaternary eolium and alluvium overly Cretaceous interbedded marine deposits. The Cretaceous Laramie and Fox Hills Formation consist of sandstone and shale deltaic marine deposits. The deposits are approximately 300 feet thick in eastern Colorado and some bedrock outcrops are visible northwest of Eaton (Colorado Geological Survey, 1998).

Light brown to grey deposits of loess, windblown clay, silt and sand, blanket much of the eastern Colorado plains with deposits ranging in thickness from 3 to 15 feet (Colton, 1978). Sandy alluvium is also present in various thicknesses in the area near streams and creeks, but also as paleochannels under the loess deposits (Topper et al, 2003). The alluvium is 20-60 feet thick in areas (Topper et al, 2003) Topsoil in the area is generally a silty to sandy loam with moderate water infiltration rates (Appendix C).

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The Agland Cenex property is identified as open with 6 USTs and 1 AST. This site is not likely of concern due to its location west of the ESBF property. The S/SE nature of groundwater flow would cause any potential release from the UST's to bypass the ESBF property to the west. The potential for a release from the AST to cause air contamination on the property does exist depending on prevailing wind direction and other climatic factors. However the potential for long-term contamination from such a release is remote and does not warrant further investigation.

Also at the same address is a property titled "Cenex" and identified as closed with 1 AST. This AST has 0 capacity and based on this limited information it is not likely of concern to the ESBF property.

The Cepex American property is identified as closed with 2 USTs. It is located adjacent to the ESBF property along the western perimeter. Due to the S/SE nature of groundwater flow the potential for a release to cause subsurface soil and/or groundwater contamination at the ESBF property does exist and may warrant further inspection during the Phase II investigation.

The Quickie Car Wash property is identified as closed with 3 USTs. Due to its location directly upgradient of the ESBF property the potential for a release to cause subsurface soil and/or groundwater contamination does exist and may warrant further inspection during the Phase II investigation.

4.1.13 State and Tribal Institutional Control/Engineering Control Registries

No State or Tribal Institutional Control/Engineering Control Registries were identified within 0.5 miles of the EDR radius search point.

4.1.14 State and Tribal Voluntary Cleanup Sites

No State or Tribal Voluntary Cleanup Sites were identified within 0.5 miles of the EDR radius search point.

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4.1.15 State and Tribal Brownfields Sites

No State or Tribal Brownfields Sites were identified within 0.5 miles of the EDR radius search point.

4.2 PHYSICAL SETTING INFORMATION SOURCES

4.2.1 Topographic Characteristics

The ESBF property is located in the South Platte River basin of Northern Colorado. The topography is generally flat and the surrounding land usage is generally irrigated crop and grazing land. The ESBF property is located on the southeast edge of the town of Eaton at an elevation of 4,826 feet above mean sea level (Appendix C). The climate in the Eaton, Colorado area is semiarid. The mean annual precipitation as totaled from the University of Delaware (UD) database is 14 inches. The net annual precipitation as calculated from precipitation and evapotranspiration data obtained from the UD database is 1.61 inches (University of Delaware 1986). The 2-year, 24-hour rainfall event for the property area is approximately 1.5 inches (Dunne, Thomas, and Luna B. Leopold 1978).

4.2.2 Geology

The ESBF property lies in the plains of Eastern Colorado. Quaternary eolium and alluvium overly Cretaceous interbedded marine deposits. The Cretaceous Laramie and Fox Hills Formation consist of sandstone and shale deltaic marine deposits. The deposits are approximately 300 feet thick in eastern Colorado and some bedrock outcrops are visible northwest of Eaton (Colorado Geological Survey, 1998).

Light brown to grey deposits of loess, windblown clay, silt and sand, blanket much of the eastern Colorado plains with deposits ranging in thickness from 3 to 15 feet (Colton, 1978). Sandy alluvium is also present in various thicknesses in the area near streams and creeks, but also as paleochannels under the loess deposits (Topper et al, 2003). The alluvium is 20-60 feet thick in areas (Topper et al, 2003) Topsoil in the area is generally a silty to sandy loam with moderate water infiltration rates (Appendix C).

Mir

No major structural features are described or identified on any geologic maps (Colton).

4.2.3 Hydrogeology

The ESBF property is located in the lower portion of the South Platte River basin (Topper et al, 2003). The South Platte River basin aquifer is an unconfined aquifer in the Quaternary alluvial and upper Cretaceous sandstone deposits. The Cretaceous aquifer is little utilized as a viable aguifer North of Greeley (Topper et al, 2003) The thickness of the alluvium and the alluvial aguifer varies across the basin, but the alluvial aguifer thickness is 20-60 feet thick in the Eaton area (Topper et al, 2003). Ground water flow is generally down valley to the South-Southeast (SSE) towards the Poudre River valley near Greeley. Groundwater wells in a one mile radius of the property are generally 60 – 90 feet deep and report groundwater at 20 –

30 feet below ground surface (bgs) (Appendix C).

The Dakota-Cheyenne aquifer is a deeper aquifer below the confining shale layers of the Upper Cretaceous. The depth to the ground water varies but well depths that utilize the aquifer in the Greeley area are reported to be 100 to 200 feet in depth (Topper et al, 2003).

Finer grained material and poorly sorted sediments can create locally perched or confined aquifers (Topper et al, 2003). Local groundwater surface elevations will be influenced by current surface water elevations and local water usage.

Hydrology 4.2.4

The ESBF property is generally flat with surface water drainage via overland flow expected to be to the south southeast. Surface water flows into the Eaton Draw (Irrigation Ditch, east of the property) which flows towards the Poudre River valley (Colton, 1998). A threat of flooding does not pertain to the ESBF property (Federal Emergency Management Agency (FEMA 2009).

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4.3 HISTORICAL USE INFORMATION ON THE PROPERTY

The ESBF property was vacant until 1902 when the Kilby Manufacturing Company of Cleveland, Ohio built the GWS Factory. The GWS factory was the first sugar beet factory in Weld, County. For many years before the GWS factory was built, agriculture had been almost the only industry in surrounding areas and the town of Eaton. The GWS factory was what the town and the surrounding areas needed to develop it's agricultural industries fullest capability. Within two years of the GWS factory being constructed the town nearly doubled its population in size. The potato crop had long been the most important agricultural crop in Weld County, but its wild fluctuations in price in the early 1900's made results to farmers very uncertain. This uncertainty was some what relieved with the sugar beet crop which had a fixed price per ton (GT 1902).

Floyd Foster, former superintendant of GWS factory, from 1960-1970, remembers vividly the workings and operations of the GWS factory during the time period he worked there. Mr. Foster explained that there were three process water groundwater wells, and water was used during the basic steps in processing sugar beets to beet sugar. The process water was then was pumped out to a recirculating pond and surge pond on the east side on the GWS factory main building to be treated and then recycled. Mr. Foster explained that limestone would be brought to the property and the lime would be extracted with coke into a coke lime slurry and used in the purification process. The lime would then be dried from the slurry and placed in piles on the northeast section of the ESBF property. Mr. Foster also remembered that piping insulation for the main GWS factory building was made at the facility. Asbestos sheets would be brought to the GWS factory and workers would use a hammer mill to break up the asbestos and make a puddy mixture with the broken pieces of asbestos and combine that with cheese cloth to make insulation for piping in the building. Mr. Foster explained that the hammer mill was torn out in 1968 and in approximately the same year fiberglass insulation started to be used on a more regular basis (Appendix B).

A Sanborn map search was performed by EDR for the ESBF property. Six fire insurance maps were found dating from 1904-1946. The fire insurance maps do not show much change on the ESBF property from 1904-1946 (Appendix C).

1.0

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4.4 HISTORICAL USE INFORMATION ON ADJOINING PROPERTIES

Eaton, Colorado was founded in 1892. It was a farming and ranching community. The town is named after Benjamin Harrison Eaton, a pioneer of irrigation who played a leading role in transforming the arid prairie of the Great Plains east of Colorado's Front Range into a thriving agricultural region with water brought from the nearby Rocky Mountains in the late 1800s. Much of the farming and ranching country around Eaton, Colorado continues to depend on the irrigation systems engineered by Eaton and others to this day (TEC 2009b).

A Sanborn map search was performed by EDR for the ESBF property. Six fire insurance maps were found dating from 1904-1946. The fire insurance maps show a lumber yard present on the east side of the ESBF property consistently from 1904-1946. Most of the land surrounding the GWS factory looks mainly undeveloped agricultural land during 1904-1946 time period (Appendix C).

5.0 PROPERTY RECONNAISSANCE METHODOLOGY AND LIMITING CONDITIONS

The property reconnaissance was conducted by environmental professionals Mr. Jeremiah Ervin and Mr. Barry Hayhurst of START accompanied by Mr. Gary Carsten, City Administrator from the Town of Eaton, and Mr. Floyd Foster, former superintendent of the GWS factory, on December 22, 2009, and is documented in the project log book. The weather was partly cloudy with blue skies and temperatures in the mid 30s during the reconnaissance. The property reconnaissance was conducted off the property on its boundaries due to not having access granted to the property by the current owner. Thus the interior of building structures were not evaluated and a thorough inspection of soil on the property grounds was not able to occur (UOS 2009).

Photo documentation is presented in Appendix A. The information that was gathered has been incorporated into the appropriate sections and referenced accordingly.

6.0 FINDINGS

Environmental conditions that could pose a threat to human health or the environment were identified during this investigation. The areas of concern are as follows:

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1. Floyd Foster, former superintendent of the Eaton GWS factory confirmed that there were two above

ground storage tanks on the property, one for Diesel and one for Fuel oil and a maintenance shop that

housed chemicals used during the Eaton GWS factories operation (Photo13). Chemicals stored in the

maintenance shop included, but not limited to paint, pesticides, herbicides, and lube oils.

2. There is a large dispersed amounts of scrap metal and dumped refuse which is exposed to the elements

on the property (Photos 9, 11, 12, and 18).

3. Trash produced during the time line when the Eaton GWS factory was in operation was collected on

the property and then either burned or land filled.

4. Lime used in the sugar purification process was piled up in a mound on the northeast section of the

property and is currently being used as recreational biking trails by nearby residence. Floyd Foster,

former superintendent of the Eaton GWS factory confirmed that lime was collected on the property

and never hauled off the property (Photos 5, 7, 8, and 22).

5. Floyd Foster, former superintendent of the Eaton GWS factory reported that herbecides and pesticides

were used on the ESBF property to control rodents and weeds during his time working on the

property.

6. Due to the age of the building structures, it is possible lead-based paint is present in the buildings on

the property.

7. Due to the age of the building structures, it is possible that light ballasts and transformers, containing

poly-chlorinated biphenyls (PCBs) oils could exist.

8. CDPHE APCD determined through inspections and sampling that there is friable asbestos containing

material (ACM) in the main building on the ESBF property. Floyd Foster, superintendent of the Eaton

GWS factory from 1960 - 1970, confirmed that asbestos was used in making thermal insulation for

piping through out the main building on the property. Due to the age of the other building structures

on the ESBF property, it is possible that ACM is present in these buildings on the property as well.

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7.0 OPINION

Due to not having access to the property during the property reconnaissance signs of obvious surficial soil

contamination could not be thoroughly evaluated. Historical knowledge that two above ground storage tanks

contained diesel and fuel oil at one time were present on the property, herbicides and pesticides at one time

were used on the property, trash was collected and burned at some time on the property, and that lime was

piled at some time on the property; gives enough reason to warrant that surficial soil contamination should be

thoroughly evaluated once future access to the ESBF property is granted.

Due to not having access to the property during the property reconnaissance the interior of all building

structures on the ESBF property were not able to be evaluated. The interior of all building structures will need

to be evaluated once future access to the ESBF property is granted.

Based on interviews conducted, information provided from the CDPHE APCD on prior sampling events and

inspections conducted on the property, the main building on the ESBF property presents a hazard to human

health due to friable ACM dispersed throughout the building. This building needs to have a thorough ACM

assessment conducted by a CDPHE certified asbestos inspector(s). After the ACM assessment is conducted all

areas in the building that are confirmed to contain ACM need to be properly managed or disposed of by the

guidelines and regulations set by the CDPHE for abating ACM.

All building structures on the ESBF property due to the time in which they were built may present a hazard to

human health due to asbestos-containing building materials, lead based paint, and PCB-containing oils. These

building structures will need to be thoroughly evaluated once future access to the ESBF property is granted.

If the three current closed groundwater wells in close proximity and on the property are re-opened or new

groundwater wells are drilled on the property when the property is redeveloped as an industrial business

park, the groundwater on the property will need to be evaluated for environmental contaminants based off

historical property and adjacent property activities.

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8.0 <u>CONCLUSIONS</u>

START has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 of the ESBF property in Eaton, Weld County, Colorado. Exceptions to, or deletions from, this practice are described in Section 9.0, Deviations, of this report. This assessment has revealed the following recognized environmental conditions in connection with the property:

- The historical presence of a diesel and fuel oil above ground storage tanks on the property creates the
 potential for groundwater contamination and surface and subsurface soil contamination on the
 property.
- 2. The historical presence of a maintenance shop that housed numerous miscellaneous chemicals on the property creates the potential for groundwater contamination and surface and subsurface soil contamination on the property.
- 3. The historical use of herbicides and pesticides on the property create the potential for groundwater contamination and surface and subsurface soil contamination on the property.
- 4. Trash collected and burned on the property and dispersed amounts of scrap metal and dumped refuse on the property create the potential for groundwater contamination and surface and subsurface soil contamination on the property.
- 5. Lime waste piled on the property creates the potential for groundwater contamination and surface and subsurface soil contamination on the property.
- 6. Due to the age of the building structures, it is possible that light ballasts and transformers, containing poly-chlorinated biphenyls (PCBs) oils could exist.

This assessment has also revealed the following additional environmental issues at the property that do not fall into the scope of ASTM Practice E 1527 recognized environmental conditions:

Asbestos-containing materials (ACM) were identified in the main building on the property by CDPHE
APCD. The other building structures on the property have not been evaluated and have a high
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likelihood to contain ACM due to the fact that they were built during the same time period as the main building on the ESBF property. If building structures when evaluated and assessed, identify building

materials containing ACM, the ACM will need to be properly managed and/or disposed. If ACM is

present in the building structures on the ESBF property, a significant potential danger to the health of

on-site workers if abatement or demolition activities do occur. Discovery of asbestos in the building

may subject employers to Occupational Safety and Health Administration (OSHA) regulations

regarding working in an environment containing asbestos (Occupational Safety and Health

Administration (OSHA) 1987)

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2. A lead-based paint assessment needs to be performed on the building structures on the ESBF property

due to the time period in which the buildings were built. If lead-based paint is found during the

assessment the associated paint and materials must be properly managed and/or disposed. Lead-based

paint may present a significant danger to the health of workers participating in demolition or

renovation activities. Discovery of lead-based paint in the building may subject employers to OSHA

regulations regarding working in an environment containing lead-based paint (OSHA 2009).

Recommendations for Phase II activities based on the above-listed conditions are detailed in Tables B and C

below.

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TABLE B
Recommendations for Phase II Activities for Each Recognized Environmental Condition

Recognized Environmental Condition	Recommendation
Diesel and Fuel Oil Above Ground Storage Tanks	Soil and groundwater should be evaluated for contaminants that could have originated from the vicinity of the diesel and fuel oil above ground storage tank historic locations on the ESBF property. Contaminants that should be evaluated in the above mentioned areas include but not limited to metals, volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), Gasoline Range Organics (GROs), and Oil Range Organics (OROs).
Maintenance Shop	Soil and groundwater should be evaluated for contaminants that could have originated from the vicinity of and around the maintenance shop, that housed numerous miscellaneous chemicals on the property. Contaminants that should be evaluated in the above mentioned areas include but not limited to metals, volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), total petroleum hydrocarbons (TPH), pesticides and herbicides.
Herbicide and Pesticide Use Areas	Soil and groundwater should be evaluated for contaminants that could have originated from the vicinity of areas where herbicides and pesticides were used to control weeds and rodent pest on the property. Contaminants that should be evaluated in the above mentioned areas include but not limited to pesticides and herbicides.
Trash Collected and Burned Areas	Soil and groundwater should be evaluated for contaminants that could have originated from the vicinity of areas where trash was historically burned and areas where dumped refuse is currently on the property. Contaminants that should be evaluated in the above mentioned areas include but not limited to metals, volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), total petroleum hydrocarbons (TPH), pesticides and herbicides.
Lime Waste Piles	Soil and groundwater should be evaluated for lime contamination, that could have originated from the vicinity, on the northeast section of the property, where lime was piled, by assessing the Ph of the soil and groundwater in this area.
PCB Containing Equipment	The interior of the building structures on the ESBF property needs to be evaluated for PCB containing light ballast and transformers. If light ballasts and/or transformers are discovered during the evaluation of the buildings on the property arrangements for disposal should be made by PCB transporters or PCB commercial stores for shipment of ballast, PCB-soiled items, or fluorescent fixtures containing PCBs to an EPA-approved chemical waste processing site (EPA 2009).

TABLE C
Recommendations for Phase II Activities for Each Additional Environmental Issue

Additional Environmental	Recommendation
Lead-Based Paint	Painted surfaces must be evaluated for lead content, and managed or disposed of properly. Workers on site shall be protected from exposure to lead-based paint through the use of protective clothing and respiratory protection.
Possible Asbestos-Containing Material	Building materials must be evaluated for asbestos content, and managed or disposed of properly. Workers on site shall be protected from exposure to asbestos through the use of protective clothing and respiratory protection.

9.0 <u>DEVIATIONS</u>

Access on to the ESBF property was not granted during the site reconnaissance. The property and building structures on the property will need to be evaluated once future access is granted.

10.0 ADDITIONAL SERVICES

No additional services beyond the sampling described in section 9.0 were conducted as a part of this Phase I Assessment.

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12.0 ENVIRONMENTAL PROFESSIONAL'S QUALIFICATIONS, STATEMENT,

AND SIGNATURE

This work was conducted by an environmental professional as specified in Section 7.5.1 of E 1527-05 and

defined pursuant to 40 CFR.10 (ASTM 2005).

Jeremiah Ervin has a Baccalaureate or higher degree from an accredited institution of higher education in a

discipline of engineering or science and the equivalent of five (5) years of full-time relevant experience such

as participation in the performance of all appropriate inquiries investigations, environmental site assessments or

other site investigations including environmental analyses, investigations, and remediation, which involve the

understanding of surface and subsurface environmental conditions and the processes used to evaluate these

conditions and for which professional judgment was used to develop opinions regarding conditions indicative

of releases or threatened releases (see •312.1(c)) to the subject property. Jeremiah Ervin remains current in his

field through participation in continuing education or other activities.

I declare that, to the best of my professional knowledge and belief, I meet the definition of environmental

professional as defined in \$312.10 of 40 CFR 312. I have the specific qualifications based on education,

training, and experience to assess a property of the nature, history, and setting of the subject property. I have

developed and performed all appropriate inquiry in conformance with the standards and practices set forth in

40 CFR Part 312.

[--: - D

Jeremiah Ervin, Environmental Scientist

Date:

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Agland Incorporated (Agland) 2006. Agland Incorporated Company information.

http://www.aglandinc.com/. Accessed December 2009.

ASTM International (formerly American Society for Testing and Materials) (ASTM). 2005. Standard Practice

for Environmental Site Assessments: Phase I Environmental Site Assessment Process. ASTM Designation: E

1527-05. November 2005.

1 16

Colton, R.B., 1978, Geologic Map of the Boulder-Fort Collins-Greeley Area, Map I-855-G, Colorado,

United States Geologic Survey (USGS), 1978.

Colorado Geological Survey (CGS), 1998, Colorado Geologic Highway Map, 1998.

Dunne, Thomas and Luna B. Leopold. 1978. "Water and Environmental Planning." W. H. Freeman and

Company, San Francisco.

Federal Emergency Management Agency (FEMA). 2009. Flood map available at http://www.Fema.gov.

Accessed in December 2009.

Greeley Tribune (GT). 1902. "Eaton Sugar Company; The Big factory That Will Make the Farmer's Income

More Certain". Page 4. August 14, 1902.

Occupational Safety and Health Administration (OSHA). 1987. OSHA Regulation "Asbestos," 29 C.F. R.

Part 1910.1001, Appendix A.

Occupational Safety and Health Administration (OSHA). 2009. OSHA Regulations for Lead.

Occupational Health and Environmental Controls 1926.62 12/15/2009.

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10641

Topper, Ralf, and Spray, K.L., Bellis, W.H., Hamilton, J.L., Barkmann, P.E., 2003, Special

Publication53- Groundwater Atlas of Colorado, Colorado Geological Survey.

TDD No. 0912-06

Town of Eaton, Colorado (TEC). 2009a.. Personal communication between Jeremiah Ervin of START with Gary Carsten, City Administrator. December 22, 2009.

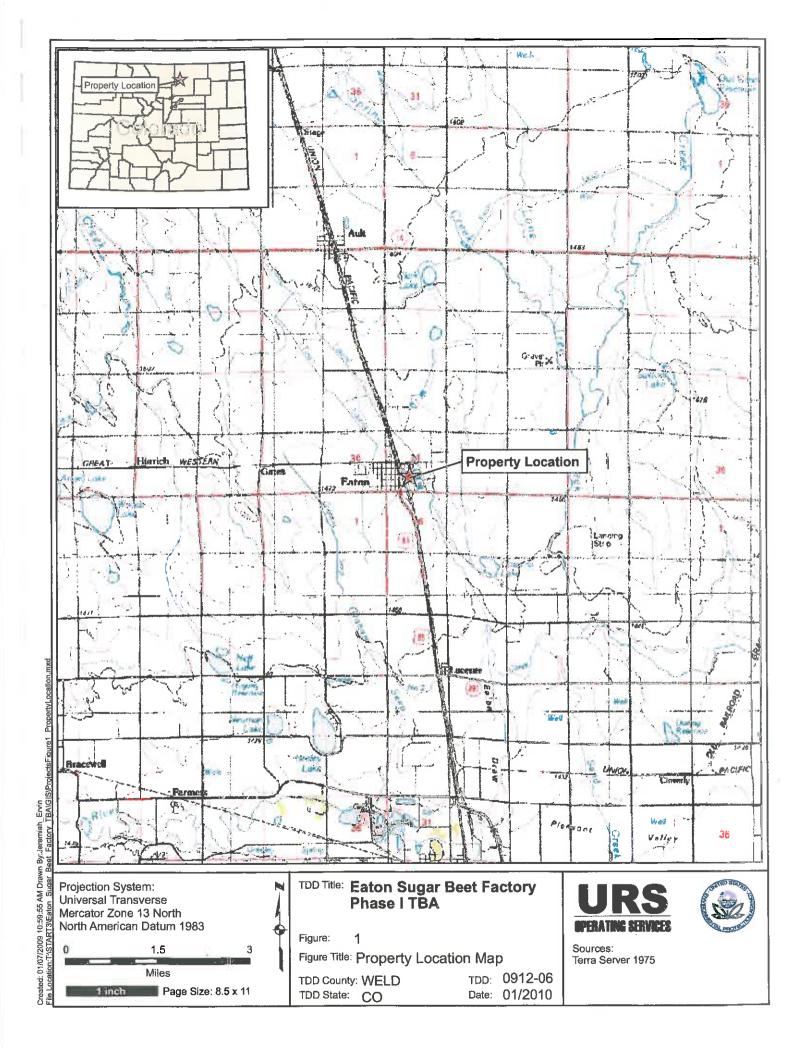
Town of Eaton, Colorado (TEC). 2009b. Historic Information Regarding the Town of Eaton, Colorado. January 3, 2010. http://www.eatonco.org/

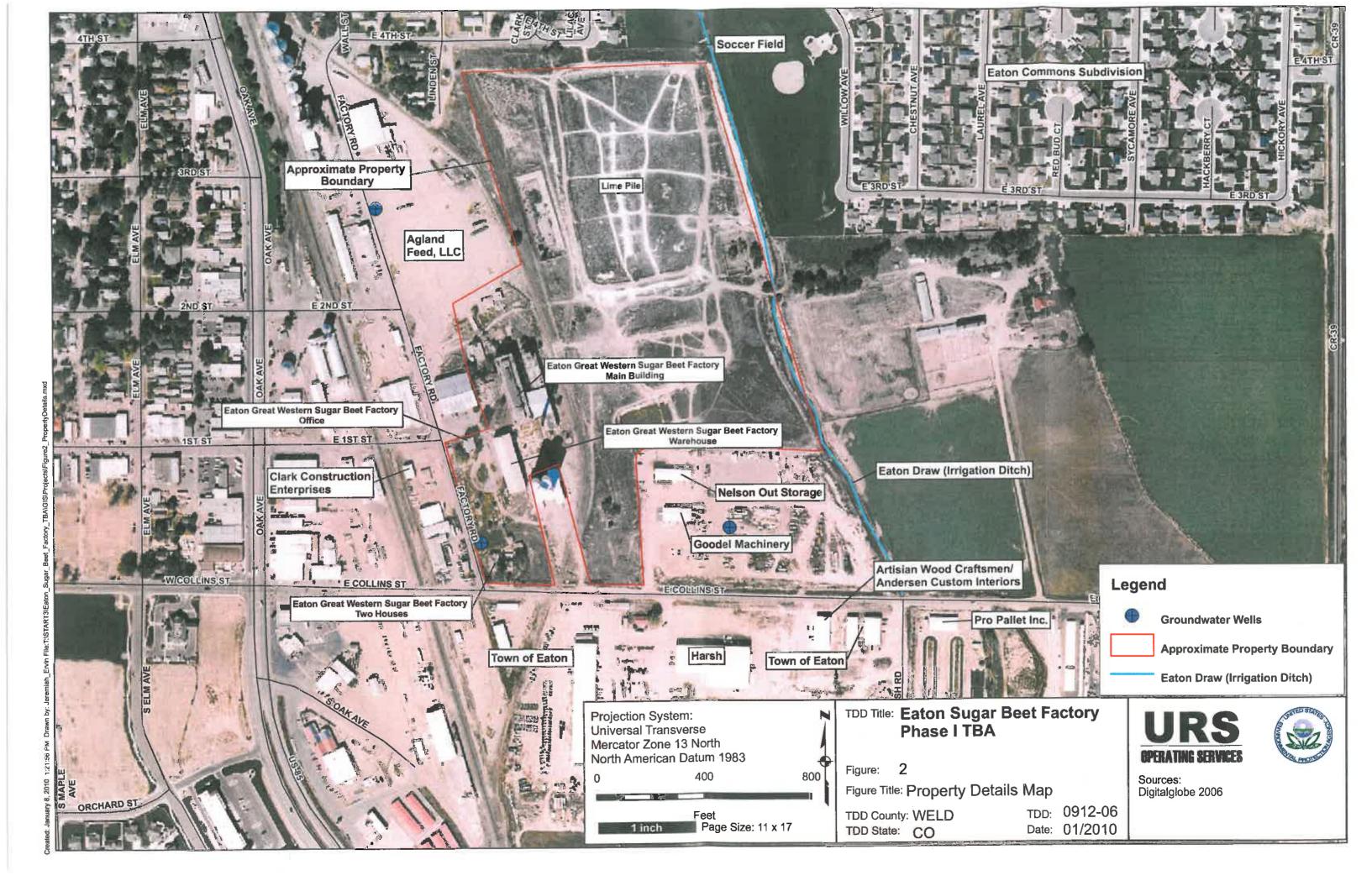
Town of Eaton, Colorado (TEC). 2009c. Town of Eaton, Colorado's Application for State of Colorado Targeted Brownfields Assessment Assisstance. 2009

U.S. Geological Survey (USGS). 1975. 7.5 Minute Topographic Map Quadrangles of Eaton, CO.

University of Delaware, Center for Climate Research, Department of Geography. 1986. Terrestrial Water Budget Data Archive; Version 1.01, compiled by C. J. Willmott and C. M. Rowe.

URS Operating Service, Inc. (UOS). 2009. Log Book from the Eaton Sugar Beet Factory Property Reconnaissance that was conducted on December 22, 2009.





APPENDIX A

Project Photolog

URS Operating Services, Inc. START 3, EPA Region 8 Contract No. EP-W-05-050 Eaton Sugar Beet Factory Revision: 0 Date: 01/2010 Page 1 of 12



Photo 1 Closed historic process water well, looking west. Pictured Boyd Foster, former super attendant of the Eaton Great Western Sugar Factory (GWSF) and Jeremiah Ervin, START.



Photo 2 Closed historic process water well, looking to the west.



Photo 3

The main building of GWSF, looking northeast. Agland Inc., Drums stored on property boundary against GWSF main building. Pictured Boyd Foster and Jeremiah Ervin.



Photo 4
GWSF main building and office, looking east. Showing graffiti and broken windows on the buildings upper floors



PHOTO 5 Lime pile, in the distance behind the factory building, looking northeast.



РНОТО 6 Back side of the GWSF main building, looking northwest.



View in vicinity from the top of the lime pile area, looking east.



PHOTO 8

Tire tracks in the snow to show recent access to the lime pile area for recreational bicycling.



PHOTO 9
Historic location of coal for the GWSF, looking south. Notice the scrap metal and trash on site.



PHOTO 10

View of the GWSF main building from the northeast looking southwest.



PHOTO 11

Trash and junk metal dispersed on the east side of the GWSF main building



Trash and junk metal on the north side of the GWSF main building, looking north.



PHOTO 13
Historic location of an above ground storage tank, approximately 10,000 gallon in size (fuel oil), looking to the east. Notice cement containment.

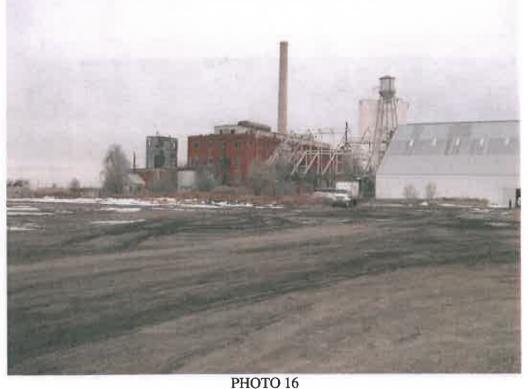


PHOTO 14
View of GWSF building, looking the northwest to the southeast.



PHOTO 15

Jeremiah Ervin GPSing closed historic process water well on the northwest boundary of property.



View of the GWSF main building. Looking from the northwest to the southeast



PHOTO 17
View of the GWSF office building on the property. Looking east.



PHOTO 18
Trash in front of GWSF sugar-beet warehouse, looking to the east.

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РНОТО 19

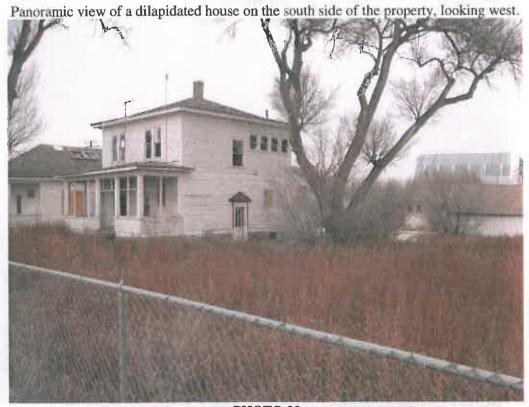


PHOTO 20

Panoramic view of a dilapidated house on the south side of the property, looking northwest.

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PHOTO 21
Panoramic view of an unattached garage on the south side of the property, looking northwest.



View of a soccer field and Eaton Commons residential area with GWSF lime pile in the distance, looking to the southwest..



Eaton Draw irrigation ditch which runs the distance of the property on its east side, looking to the south. Notice lime pile in the distance on the right corner of this photo.

APPENDIX B

Interview Document

Eaton Sugar Beet Factory Property Recon. Interview Form

Date:	12/22/2009
Property:	Eaton Sugar Beet Factory, Parcel 1 & Parcel 2
Project Scope:	Phase 1 TBA
Contact:	Flo-Boyd Foster (Former Super Attendant of the Eaton Great Western Sugar Factory), 970-454-2004, Floydfrostyl@aol.com

10.4

Interview Notes:

Flort Foster worked at the Eaten Great western

Sugar Factory for 10 years. Working his way up

From sugar informant and station manager to

Super Attendant of the GWSF. Print to working

at the Eaten Gusf. Engly worked at the

Greatly Gusf.

Flort remembers limisterie bring brought in to

the Eaten Gusf and having the time extracted in

the Eaten Gusf and having the time roke shury

a heating process where it was trained with

cake and waster into a sturry. The time roke shury

cake and waster into a purification process of the

uses then used in a purification process of the

best sugar. After the lime roke sturry was used

the limp was direct out of the sturry and piled

the limp was direct out of the sturry and piled

on the Eaten Goust Ettels explained that process and the Eaten Goust out into recirculating pond and surge pond so it could be treated and then recycled to used the tocility.

- The Eaton GWSF obtained its deinking water From the town of Eaton's municipality.

- Eaton Draw Irregation Ditch runs on the rost side of the property Some times water from Eaton Draw the facility would be drained to the Eaton Draw.

- Maintenance shop housed them tals used at plant such as paint, protecte, oil etc.

- Two AsTI on property. One Diesel and one fuel oil.
Both had coment containments. > cont. I

- 40 employers on a comparign during late Oct Nov. of each year. Employers during regular how times
- Thermal Surfacing Insulation (TSI) and pipe joint insulation was made ansite. Asbestes would be brought in in ling sheets. The asbestos sheets would be broken up to a hammermill ensite. The broken asbestos would be made into a paday substance mixture which was combined with charse cloth and then placed on combined with charse cloth and then placed on piecess piping. Asbesto: was used in wraking insulation at the Eaton Gwst until approximately 1968, when the hammermill was toon out. Fibe-glass insulation started to be used more requarly at the Eaton Gwst and around this time
 - Some asbustos abated from old Boiler house and mill. No reports documented.
 - Trash was landfilled and burned ansite same times picked up to be lantilled off site
 - Lead paint was used in critain instances onsite at the Eaton Goost but quantities not known.
- Boile used natural gas antil city out it cff out it would get powered by Diesel

APPENDIX C

Environmental Data Resources (EDR), Inc. Radius Report with GeoCheck®, Sanborn Map Report, and a Historical Aerial Map Report

APPENDIX D

Colorado Department Public Health and the Environment Air Pollution and Control Division Eaton Sugar Beet Factory Inspection Reports



(903):692-3164 Fax (103) 782-0278 B-mail: steve fine @state.co.us

Steven D. Fine Senior Industrial Hygienist Air Pollution Control Division

APCD-SS-B1 4300 Cherry Creek Drive South Denver, Colorado 80246 1530 Colorado Department of Health/Air Pollution Control Division Compliance Monitoring and Enforcement Section-Asbestos Unit APCD-SS-B1 4300 Cherry Creek Drive South, Denver, Colorado 80222-1530 Phone (303) 592-3179 Telefax (303) 782-0278

Colorado hir Quality Control Commission Regulation No. 8

NOTICE OF INSPECTION Inspection Video toped PARTER TOWN DATE THE IS/OUT LHEPSCHOR(S) BLD Great-Western Sugar Plan 11-10AM 1 Bain Enton Co SULLDING CHARRES CONTRACTOR PERMIT ! PERSON(S) THESKYLENED an Energy Lie nomas Entry by Consents () Warrants () Reason for Inspection: Routine Compliance: () Complaint: () Other (specify): THE INSPECTION REVEALED THE BOLLOWING PROBABLE VIOLATIONS OF STATE/FEDERAL LAWS: Regulation/Section Extreme 107 Did the Imspector(s) enter contilement? Is this an "off hours" inspection? Y (1 Anterral to other agency? Sample no's GW -Agency name The state of the s The facts entablished by this inspection will be reviewed by the Division and 6 decision will be made regarding compliance with asbestos regulations. The review may reveal additional violations. Results of inspection acknowledged (Print Name/Company): Results of inspection acknowledged (Print Neme/Company): Signature: x Signaturo: x Signature of Inspector(s): x

any to: white CDH, velow-contractor, sink-EPA

See back =

DCM SCIENCE LABORATORY, INC. 12421 W. 49TH AVENUE, UNIT #6 WHEAT RIDGE, CO 80033 (303) 463-8270

BULK ASBESTOS TEST REPORT - PAGE 1 OF 2

CLIENT:

COLO. DEPT. OF HEALTH 4300 CHERRY CREEK DRIVE SOUTH DENVER, CO. 80246-1530

The second of the second

ANALYSIS DATE: REPORTING DATE: RECEIPT DATE: CLIENT JOB NO.: 6-30-04 6-30-04 6-30-04 NONE GIVEN FCO. G.W. SU

PROJECT TITLE:
DCMSL PROJECT:

ECO, G.W. SUGAR CDOH1154

PERCENTAGE COMPOSITION BY VISUAL ESTIMATE

64					
DCM LAB NO.:	-1RR-A	-1RR-B	-2RR	-3RR	-4RR
SAMPLE DATE:	6-30-04	6-30-04	6-30-04	6-30-04	6-30-04
% OF SAMPLE:	15.0%	85.0%	100.0%	100.0%	100.0%
CLIENT NO.:	EC063004	ECO63004	GW-1	GW-2	GW-3
,	2	2			
ASBESTIFORM MINERAL FIBERS:		9			
CHRYSOTILE	0.0	0.0	0.0	[30-40]	0.0
AMOSITE	0.0	0.0	[15-25]	0.0	[5.15]
CROCIDOLITE	0.0	0.0	0.0	0.0	ັ[1-5]
TREMOLITE-ACTINOLITE	0.0	0.0	0,0	0.0	0.0
ANTHOPHYLLITE	0.0	0.0	0.0	0.0	0.0
TOTAL ASBESTOS:	0.0	0.0	20.0	35.0	14.0
147		100		456	•
TOTAL ASBESTOS CONTENT OF SAMPLE	0.0		. 20:0	35.0	14.0
	2 7 7 2	391 On 91	se residito	100 8	
OTHER FIBROUS CONSTITUENTS					
MINERAL WOOL/GLASS WOOL	. 0.0	LYJR	. 0.0	0.0	.0.0
FIBERGLASS	0.0	0.0	0.0	0.0	0.0
CELLULOSE	0.0	TR	TR	10.0	0.0
SYNTHETIC FIBERS	0.0	0.0	0.0	.0.0	0.0
WOLLASTONITE	0.0	0.0	0.0	0.0	0.0
TALC	0.0	0.0	0.0	0.0	0.0
NON FIBROUS CONSTITUENTS					
SERPENTINES (LIZARDITE/ANT.)	0.0	0.0	0.0	0.0	0.0
AMPHIBOLES (CUMMINGTONITE, ETC.)	0.0	0.0	0.0	0.0	0.0
MICA (MUSCOVITE/BIOTITE/CHLORITE)	0.0	2.0	TR	TR	TR
VERMICULITE	0.0	0.0	0.0	0.0	0.0
CLAY (PARTICLES <2.0 MICRONS)	80.0	16.0	42.0	18.0	41.0
ANHYDRITE/GYPSUM	0.0	0.0	0.0	0,0	0.0
WOLLASONITE	0.0.	0.0	0.0	0.0	0.0
QUARTZ/FELDSPAR/ROCK FRAGMENTS	0.0	0.0	0.0	0.0	TR
CARBONATE (CAL., DOLOMITE, ETC.)	0.0	50.0	25.0	35.0	2.0
DIATOMS/RADIOLARIA/FORAMS	0.0	0.0	10.0	0.0	40.0
VOLCANIC GLASS (PERLITE/PUMICE)	0.0	2.0	0.0	0.0	0.0
RESIN/BINDER/FOAM	/ 20.0	30.0	3.0	2.0	ä,ö
OPAQUES	0.0	0.0	0.0	0.0	0:0
At 1 MA PRO	0,0	3.5	3,0	3,0	3.0
TOTAL PERCENTAGE IDENTIFIED MATERIALS	100.0	100.0	100.0	100.0	100.0

NOTES: CLIENT SAMPLE NO. ECO063004-1 WAS LISTED ON THE FIELD DATA SHEET BUT NOT RECEIVED FOR ANALYSIS. SAMPLE NO. 1RR CONSISTS OF 2 PARTS. PART A IS WHITE PAINT AND PART B IS WHITE FOAMY CEILING TEXTURE, SAMPLE NO. 2RR AND 3RR ARE WHITE FIBROUS PLASTER. SAMPLE NO. 4RR IS WHITE PLASTER.

DCM Science Laboratory, Inc.

12421 W. 49th Avenue, Unit #6
Wheat Ridge, CO 80033

DCM Project No.: CDOH 1154

Client Job No.: ECO/G.W. SUGAR (BAIN)

Page <u>alor al</u>

BULK SAMPLE ANALYSIS PROCEDURES:

DCM Science Laboratory, Inc. analyzes bulk asbestos samples following procedures developed by the McCrone Research Institute and in compliance with guidelines established by the Environmental Protection Agency (EPA-600/R-93/116, July, 1993).

Bulk samples are prepared for analysis using a 10X-80X stereo microscope in a hepa filter hood which provides a contamination-free environment. The sample is then analyzed by polarized light microscopy (PLM) at 100X. When the sample consists of more than one layer, each layer is prepared and analyzed separately. Fiber and matrix materials are identified by the characterization of optical properties including color and pleochroism, form, cleavage, relief, biretringence, extinction, orientation, twinning, interference figure and other distinguishing features. Dispersion staining is also used to further aid in mineral identification. All percentages of asbestos, other fibers and non-fibrous constituents are determined from the visual estimate values obtained from the stereo and PLM microscopes analysis. In-house and NIST standards are used for comparison and identification of asbestos in client samples. Charts prepared by R.D. Terry and G.V. Chilinger for "The Journal of Sedimentary Petrology", (Volume 24, pp. 229-234, 1955) provide a guide for estimating percentages. All samples are archived for six months unless other arrangements are made by the client.

ACCREDITATION:

DCMSL is accredited by the AIHA (since 1986). Our laboratory number is 101526. DCMSL is accredited by NVLAP (since April 1, 1989). DCMSL complies with NVLAP and AIHA requirements unless otherwise noted.

ENDORSEMENT

The results of this analysis must not be used by the client to claim endorsement by NVLAP or any agency of the U.S. Government.

This test report relates only to the items tested. This report may not be reproduced except in full, without the written approval of the laboratory. The analysis was performed by:

John Silverman, Analyst

Ron Schott, Analyst

Ron Schott

Laboratory Director

Dista

NVLAP Lab Code 101258-0

Jom Dain

STATE OF COLORADO

Bill Owens, Governor Jane E. Norion, Executive Director

Dedicated to projecting and improving the health and environment of the people of Colorado:

4300 Cherry Creek Dr. S. Denver, Colorado 80246-1530 Phone (303) 692-2000 TDD Line (303) 691-7700 Located in Glendale, Colorado

http://www.cdphe.state.co.us

Laboratory and Radiation Services Division 8100 Lowry Blvd. Denver, Colorado 80230-6928 (303) 692-3098



Certified Mail; 7099 3220 0003 0282 4409 Return Receipt Requested

CEASE AND DESIST

IN THE MATTER OF:

CLEAN ENERGY LLC

ABANDONED SUGAR MILLS

101 FACTORY ROAD, EATON, COLORADO AND 11939 SUGAR MILL ROAD, LONGMONT, COLORADO

ISSUED TO:

CLEAN ENERGY LLC

STEPHEN THOMAS AND RICHARD THOMAS

5081 S. FLORENCE DRIVE

GREENWOOD VILLAGE, COLORADO 80111-3613

FINDINGS OF FACT

- 1. Clean Energy LLC owns two abandoned sugar mills in Colorado: one is located at 101 Factory Road, Eaton, Colorado (herein referred to as the "Eaton Plant"); and the other is located at 11939 Sugar Mill Road, Longmont, Colorado (herein referred to as the "Longmont Plant"). Mr. Richard Thomas and Stephen Thomas organized and manage Clean Energy LLC.
- 2. At the invitation of, and accompanied by, Richard Thomas, on June 7, 2001, W. Thomas Bain, a duly authorized representative of the Colorado Department of Public Health and the Environment, Air Pollution Control Division ("Division"), inspected both factory sites.

Longmont Plant

- 3. Mr. Bain observed significantly damaged, friable asbestos-containing thermal system insulation on the exterior grounds of the Longmont Plant. Some of the material had suffered severe weathering, which caused the insulation to delaminate from the pipe runs and joints and fall to the ground. The jacketing on some of the insulation still adhering to the pipes has been compromised thereby allowing asbestos fibers to be continually released into the ambient air. Samples of the thermal system debris were taken by Mr. Bain and found, upon analysis, to contain 30% asbestos.
- 4. Mr. Bain observed substantial amounts of severely broken pieces of asbestos cement material on the ground on the west side of the main factory structure and inside the "alley" between the main processing plant structures. Some of the debris was so severely damaged and weathered that Mr. Bain considered it friable asbestos-

containing waste material. Samples of the asbestos-cement debris were taken by Mr. Bain and found, upon analysis, to contain 7% asbestos.

- 5. Mr. Bain observed substantial amounts of graffiti and evidence of vandalism and salvaging both inside and outside the main plant structure. Many openings, allowing easy access to the interior of the plant were evident. Mr. Bain observed that some of these entrances appeared to have been sealed at one time, but the seals had been violently broken or otherwise penetrated. Asbestos warning signs were clearly posted at regular intervals on the exterior of the structure.
- 6. Mr. Bain observed significantly damaged thermal system insulation throughout the inside of the plant. Mr. Bain observed friable asbestos-containing debris on the floor in various areas around the inside the plant. Mr. Bain also observed sections of pipe that had been propped up for cutting, as well as miscellaneous debris that appeared to have been randomly thrown around. The type and extent of the damage observed suggested to Mr. Bain that vandalism and salvaging operations were the primary mechanisms for the disturbance of asbestos-containing insulation inside the building. Mr. Bain sampled the broken and deteriorated debris and found that it contained 15-16% asbestos.
- 7. Mr. Bain observed that the Longmont Plant is directly along a publicly used roadway (Sugar Mill Road). Mr. Bain estimated that other commercial business operations were operating within one hundred yards of the structure. Mr. Bain also estimated that residential neighborhoods were within four tenths of a mile from the Longmont Plant, if not closer. The Longmont Plant is fenced, but the fence on the south side of the facility has been severely damaged, allowing vehicle access to all the plant structures on the property.
- 8. On March 27, 2001, a fire was set at the Longmont Plant. Fire investigators allege that vandals who trespassed onto the property started the fire.
- 9. From the extent of the damaged asbestos-containing materials, Mr. Bain concluded that asbestos fibers were, and still are, being released into the air due to natural deterioration, vandalism and salvaging. Mr. Bain also concluded that a major asbestos spill, as discussed in Regulation No. 8, Part B, had occurred inside the main plant structure.

Eaton Plant

- 10. Mr. Bain observed that most of the ground level entrances on the exterior of the Eaton Plant were sealed; however, access to the inside of the plant was still possible. Most of the openings on the upper floors had not been staled.
- 11. Mr. Bain observed a small amount of suspect asbestos-cement debris on the southwest corner of the main production plant building.
- 12. From previous inspections by the Division in 1992 and 1993, the Division is aware that the Eaton Plant contains substantial amounts of asbestos-containing materials. Mr. Richard Thomas stated that the only area that was abated since that time was the exposed portion of the facility on the south end of the facility.
- 13. Mr. Richard Thomas told Mr. Bain that episodes of vandahsin at the Eaton Plant were more prevalent than at the Longmont Plant.

CEASE AND DESIST ORDER IN THE MATTER OF CLEAN ENERGY LLC Page 3

ORDER

The Division hereby determines that Clean Energy LLC is discharging or causing to be discharged into the atmosphere, directly or indirectly, asbestos, which is an air pollutant. This discharge constitutes a clear, present, and immediate danger to the environment and to the health of the public, and if unabated, will continue to result in a condition of clear, present, and immediate danger to the health of the public. Thus, pursuant to sections 25-7-112 and 25-7-511 C.R.S., Clean Energy LLC is hereby ordered to comply with the following at both the Longmont and Eaton Plants:

- 1. Unless expressly authorized by the Division in writing, do not to disturb, remove, move nor transport, in any fashion, any asbestos-containing material, asbestos-contaminated material or suspect asbestos-containing material from its present location.
- Do not perform any renovation, remodeling, or demolition activity on either facility unless expressly authorized by the Division in writing.
- 3. Within thirty (30) calendar days of the issuance date on this order seal all openings to the Longmont and Eaton Plants to positively prevent asbestos fibers in these facilities from being released into the environment or potentially exposing members of the public. Both facilities shall be fenced to prevent access to any portion of the buildings or property surrounding the buildings. Fencing of the properties and sealing of openings may commence without written authorization by the Division unless the erection of these barriers will disturb, remove, move or transport any asbestos-containing material, asbestos-containing material from its present location.
- 4. Within ninety (90) calendar days of the issuance date on this order inspect and assess the presence, amount and condition of all suspect asbestos-containing material and debris and submit to the Division for approval an action plan for permanently controlling and/or eliminating the hazards noted herein. This inspection and assessment shall be performed by a state-certified building inspector in accordance with the AHERA standards as given in 40 C.F.R. Part 763. In addition to the inspection and assessment results and the proposed actions to control or eliminate the hazards, the action plan must also contain a time schedule for completion of each phase of the plan.
- 5. Within thirty (30) calendar days after approval of the action plan noted in (4) above, implement the action plan. A company licensed to perform asbestos abatement in the State of Colorado must perform any abatement and clean up of the asbestos and other materials contaminated with asbestos. The term "asbestos abatement" in this Cease and Desist has the same meaning as the term defined in Regulation No. 8, Part B, section I.B.14., which means the encapsulation, enclosure or removal of asbestos-containing materials.
- 6. Immediately following completion of the action plan activities contact W. Thomas Bain of the Division (303-692-3182) so that the properties can be inspected to ensure that the health issues have been adequately resolved.

Failure to comply with this Cease and Desist Order may result in the Division filing an action in District Court to compel such compliance. The Division may also issue a Notice of Violation and assess civil penalties at a rate of up to \$25,000 per day as provided by section 25-7-511, C.R.S.

Should you have any questions regarding this matter please contact Ms. Jill Cooper, Legal Administrator, at (303) 692-3269.

Issued at Denver, Colorado this $\frac{29 \pm 4}{4}$ day of June, 2001.

CEASE AND DESIST ORDER
IN THE MATTER OF CLEAN ENERGY LLC.
Page 4

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AIR POLLUTION CONTROL DIVISION

Steve Arnold, Director Policy and Planning Unit

Dayid R. Ouimette, Manager Stationary Sources Program

cc:

Steven Fine, CDPHE Jill Cooper, CDPHE Casey Shpall, AGO wp file FY'01 3,16.3 case file 01013A

COLORADO DEPARTMENT OF HEALTH

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S. Denver, Colorado 80222-1530 4210 E. 11th Avenue Phone (303) 692-2000

Laboratory Building Denver, Colorado 80220-3716 (303) 691-4700

BEFORE THE DEPARTMENT OF HEALTH AIR POLLUTION CONTROL DIVISION STATE OF COLORADO



Roy Romer

Case #7953

Patricia A. Nolan, MD, MPH Executive Director

Certified: P 895 188 775

CEASE AND DESIST ORDER

IN THE MATTER OF:

The Great Western Sugar Factory

101 Factory Road Eaton, Colorado

TO:

Mr. Richard Thomas or Legal Agent

Thomas Realty 5081 S. Florence

Englewood, Colorado 80111

On June 10, 1992, Messrs. Alan Saville, W. Thomas Bain, and Jeff Stoll, representatives of the Colorado Department of Health, Air Pollution Control Division (Division), inspected the premises of the site referenced above after verbal permission from Mr. Richard Thomas, the current owner of said property, had been granted. The inspection evidenced significantly damaged, friable asbestos containing debris inside and outside the building.

Based on this inspection, a letter, dated June 17, 1992, was sent to Mr. Thomas stating the asbestos related hazards this sugar plant presented and requested Mr. Thomas to take measures to minimize the potential and actual risk to the safety and welfare of the general public. After repeated follow up visits to the site revealed that no measures had been taken to protect the general public from exposure to asbestos, a cease and desist order was issued against Mr. Thomas pursuant to C.R.S. 25-7-511 and 25-7-113 on November 13, 1992. The cease and desist order mandated minimum requirements deemed necessary to protect the public health (see the attached Cease and Desist Order dated November 13, 1992).

Based on several follow up inspections by John Milligan, a duly authorized representative of the Division, the friable asbestos in the area outside the factory building was abated and access to the facility was further restricted; however, as evidenced by the September 7, 1993 and the December 13, 1993 inspections, openings to the factory building are not being repaired so as to prevent access to the factory building (ie. the window on the east side of the building). In addition, warning signs are not posted on the east side of the building.

Thomas Realty
January 21, 1994
page 2

Pursuant to section 25-7-511, section 25-7-112, and section 25-7-113 C.R.S., you are hereby ordered to abate the hazardous conditions noted herein. The Division orders Thomas Realty to immediately take measures to control the asbestos related health hazards at the abandoned Great Western Sugar Factory in Eaton Colorado.

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The Division is requiring that the following procedures be implemented to control and minimize the hazards at the facility referenced in this order:

- 1) Immediately post sufficient numbers of "No Trespassing" and "Danger-Asbestos..." warning signs along the east side of the building in obvious locations around the factory area so as to warn the public and trespassers of the asbestos hazards.
- 2) Maintain the presence of all warning signs noted in (1) until all asbestos containing materials on or inside the facility have been abated or until deemed unnecessary by the Division.
- Physically restrict access to the interior of the factory building and prevent the escape of asbestos outside the building by boarding up, or similarly repairing, all openings, doors, windows, and holes that could be used by persons to gain access to the inside of the building or allow the weathering or disturbance of asbestos containing materials and migration of asbestos to the outside of the building.
- continue to restrict access to the factory building as outlined in (3) above until all asbestos containing materials in the factory building have been abated or until deemed unnecessary by the Division.
- 5) Following completion of the activities noted in (1) and (3) above, contact either John Milligan at the Weld County Health Department (303-353-0635) or Tom Bain of the Division (303-692-3182) so that the facility can be inspected to ensure the problems have been adequately resolved.

Failure to comply with (1) through (5) noted in this order may result in the Division filing an action in District Court to compel such compliance. Furthermore, failure to comply with (1) and (3) above within 30 days of the issuance date of this order may result in the Division filing an action in District Court to compel such compliance. The Division may also issue a Notice of Violation and assess civil penalties at a rate of up to \$25,000 per day as provided by section 25-7-511 C.R.S.

Should you have any questions regarding this matter please contact

Thomas Realty January 21, 1994 page 3

Ms. Martha Rudolph, Assistant Attorney General, at (303) 866-5072.

Issued at Denver, Colorado this 21st day of January, 1993.

COLORADO DEPARTMENT OF HEALTH AIR POLLUTION CONTROL DIVISION

Douglas A. Lempke, Chief Compliance Monitoring & Enforcement

W. Thomas Bain, Industrial Hygienist Compliance Monitoring & Enforcement

form as approved by:

cc: Steve Fine, CDH Martha Rudolph, Assistant Attorney General John Milligan, Weld County Health Department Brenda South, EPA Case File #7953 FY '94 WP File 3.1.10

STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH

Dedicated to protecting and improving the treath and environment of the people of Colorado 4300 Cherry Creek Dr. S. Laboratory Build

Phone: (303)692-2000

Laboratory Building: 4210 E. 11th Avenue Denver, Coloredo 80220-3716 13031691-4700



Roy Romer Governer Patricia A. Nolen, MD, MPH Executive Director

BEFORE THE DEPARTMENT OF HEALTH AIR POLLUTION CONTROL DIVISION STATE OF COLORADO

Case #7953

Certified: P 784 032 229

CEASE AND DESIST ORDER

IN THE MATTER OF:

The Great Western Sugar Factory

Eaton, Colorado

TO:

Mr. Richard Thomas or Legal Agent

Thomas Realty 5081 S. Florence

Englewood, Colorado 80111

On June 10, 1992, Messrs. Alan Saville, W. Tom Bain, and Jeff Stoll, representatives of the Colorado Department of Health, Air Pollution Control Division (Division), inspected the premises of the site referenced above after verbal permission from Mr. Richard Thomas, the current owner of said property, had been granted.

The section of the facility known as the dock area and the areas east of the main building are open to the outside environment where exposed asbestos containing insulation is evident. Access from State Highway 85 (Which is approximately 100 yards from the building complex) to the dock and to the facility in general is not restricted by gates, warning signs or security guards. asbestos insulation is laying outside on the ground and therefore presents a potential public health hazard. Several 55-gallon drums containing suspect asbestos materials were also discovered outside Furthermore, some of the pipes in the dock area the facility. appear to have been stripped of asbestos insulation (solid sections of insulation were not found under or near the piping that had been stripped). This evidence, in conjunction with a phone conversation where Mr. Thomas alluded to an abatement activity in the past, indicate that an asbestos abatement project had occurred on this site sometime during his ownership of the property.

Richard Thomas November 13, 1992 page 2

Following the inspection, Mr. Saville sent a certified letter addressed to Richard Thomas dated June 17, 1992 stating the hazards this sugar plant presented and requesting Mr. Thomas to take measures to minimize the potential risk to the safety and welfare of the general public. Follow up visits to the site reveal that no measures have been taken to clean up the site. The Division has not been contacted by phone regarding this matter and a "drive by inspection" by Trevor Jiricek of the Weld County Health Department on September 25 confirmed that no actions appear to have been taken to mitigate the identified hazards.

Pursuant to section 25-7-511 and section 25-7-113 C.R.S., you are hereby ordered to abate the hazardous conditions noted herein. The Division orders Thomas Realty to immediately take measures to control the assestos related health hazards at the abandoned Great Western Sugar Factory in Eaton Colorado.

The Division is requiring that the following procedures be implemented within 30 days of the issuance of this order to control and minimize the hazards at the facility referenced in this order:

- 1) Immediately post sufficient numbers of "No Trespassing" and "Danger-Asbestos..." warning signs in obvious locations around 'the factory area so as to warn the public and trespassers of the asbestos hazards.
- 2) Restrict access to the interior of the factory building, which is apparently also significantly contaminated with ACM, by erecting a fence and repairing all entry points to the facility.
- 3) If asbestos containing waste materials are stored on the property, ensure that these materials are stored in 6-mil, leak-tight polyethylene bags with proper warning labels and sealed in rigid containers (such as a standard 55 gallon steel drum) with the proper warning labels attached on the outside of the drum. The containers should also be stored in a locked, secured area.
- 4) Hire a state certified asbestos abatement contractor to commence cleanup of the contaminated areas outside the building.
- 5) The persons hired to do the work as stated in "4" above are required to file a notice with the Division containing all the necessary information pertaining to the clean-up of this property.

6) Following completion of the clean-up activities, contact Jeff Stoll at the Weld County Health Department (303-353-0635) and Tom Bain of the Division (303-692-3182) so that the facility can be inspected to ensure the problem has been adequately resolved.

Failure to comply with this order within 30 days of the issuance date may result in the Division filing an action in District Court to compel such compliance. The Division may also issue a Notice of Violation and assess civil penalties at a rate of up to \$25,000 per day as provided by section 25-7-511 C.R.S.

Should you have any questions regarding this matter please contact Ms. Martha Rudolph, Assistant Attorney General, at (303) 866-5072.

Issued at Denver, Colorado this 13th day of November, 1992.

COLORADO DEPARTMENT OF HEALTH AIR POLLUTION CONTROL DIVISION

Paul D. Frohardt, Acting Director

David Ouimette, Acting Stationary Sources Program Manager

cc: Steve Fine, CDH
Martha Rudolph, Assistant Attorney General
Jeff Stoll, Weld County Health Department
Brenda South, EPA
Case File #7953
FY '93 WP File 3.1.2.3.2



ROY ROMER

PATRICIA A. NOLAN, MD, MPH Executive Director

4210 East 11th Avenue Denver, Colorado 80220-3716 Phone (303) 320-8333 Telefax Numbers: Main Building, Denyer (303) 322-9076

Ptarmigan Place, Denver (303) 320-1529

First National Bank Building, Denver

Grand Junction Office (303) 248-7198

Pueblo Office (719) 543-8441

June 17, 1992

Mr. Richard Thomas Thomas Realty 5081 S. Florence Engelwood, CO 80111 Record #

Certified mail P 860 427 421

Re: Asbestos problems at the old Great Western sugar factory located in Eaton. CO

Dear Mr. Thomas:

As you are aware, an inspection was conducted at the above referenced site on June 10, 1992 by Colorado Department of Health-Air Pollution Control Division (Division) representatives Alan Saville, Tom Bain, and Jeff Stoll (who is employed by the Weld county Health Department). This inspection was conducted after receiving verbal permission from you and in response to complaints received by the Division.

During the inspection suspect asbestos containing materials (ACM) were observed by the Division representatives in primarily two areas outside of the buildings on the property. These locations were; suspect ACM in barrels laying on the ground east of the railroad tracks near an old shed, and suspect ACM in barrels and on the ground in a dock area between the building identified as the "pulp mill" and the "main factory" adjacent to the parking lot area near the old water tower. A sample of the suspect material was taken by Alan Saville in the dock area which later tested positive as an ACM.

Because the ACM is in a highly "friable" condition (i.e. it easily releases fibers into the air when disturbed), and is outdoors and located in what the Division considers to be "areas of public access," the Division is asking that the following measures be implemented immediately to resolve the problem and minimize any potential risk to the safety and welfare of the general public:

- 1. Hire a trained and state certified asbestos abatement crew to clean up the contaminated areas identified in this letter using proper abatement techniques.
- Restrict access to the interior of the factory building (which
 is apparently also significantly contaminated with ACM) by
 erecting a fence and repairing (e.g. boarding up) all entry
 points to the facility.

Mr. Richard Thomas June 17, 1992 page 2

- 3. Post several "No Trespassing" and "Danger-Asbestos..." warning signs in obvious locations around the factory area.
- 4. If asbestos containing waste materials are stored on the property; make sure that these materials are stored in 6-mil, leak-tight polyethylene bags with proper warning labels and sealed in rigid containers (such as a standard 55 gallon steel drum) with the proper warning labels attached on the outside of the drum. The containers should also be stored in a locked, secured area.
- 5. The persons hired to do the work pursuant to "1" above should file a notice with the Division with all the necessary information on it for our records.
- 6. Please contact either Jeff Stoll at the Weld county Health Department (303-353-0635) or Alan Saville of the Division (303-331-8509) when this work is completed so that an inspection can be conducted to ensure that the problem has been adequately resolved.

The above procedures are being requested pursuant to Colorado Air Quality Control Commission's Regulation No. 8, paragraph III.C.5., entitled "Asbestos Spill Response".

Thank you for your cooperation and please let me know if I can be of assistance or if you have any further questions.

Sincerely, U

Alan Saville Industrial Hygienist Compliance Monitoring and Enforcement Air Pollution Control Division (303) 331-8509

Jeff Stoll, Weld County HD Case file
FY '92 WP file 1.2.3.4.



ROY ROMER
Governor

PATRICIA A. NOLAN, MD, MPH Executive Director

4210 East 11th Avenue Denver, Colorado 80220-3716 Phone (303) 320-8333 Telefax Numbers: Main Building, Denyer (303) 312-9076

Ptarmigan Place, Denver (303) 320-1529

First National Bank Building, Denver (303) 352-5559

Grand Junction Office (303) 248-7198 Pueblo Office (719) 543-8441

June 17, 1992

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Certified mail P 860 427 421

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Because the ACM is in a highly "friable" condition (i.e. it easily releases fibers into the air when disturbed), and is outdoors and located in what the Division considers to be "areas of public access," the Division is asking that the following measures be implemented immediately to resolve the problem and minimize any potential risk to the safety and welfare of the general public:

- 1. Hire a trained and state certified asbestos abatement crew to clean up the contaminated areas identified in this letter using proper abatement techniques.
- Restrict access to the interior of the factory building (which
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 points to the facility.

Mr. Richard Thomas June 17, 1992 page 2

- 3. Post several "No Trespassing" and "Danger-Asbestos..." warning signs in obvious locations around the factory area.
- 4. If asbestos containing waste materials are stored on the property; make sure that these materials are stored in 6-mil, leak-tight polyethylene bags with proper warning labels and sealed in rigid containers (such as a standard 55 gallon steel drum) with the proper warning labels attached on the outside of the drum. The containers should also be stored in a locked, secured area.
- 5. The persons hired to do the work pursuant to "1" above should file a notice with the Division with all the necessary information on it for our records.
- 6. Please contact either Jeff Stoll at the Weld county Health Department (303-353-0635) or Alan Saville of the Division (303-331-8509) when this work is completed so that an inspection can be conducted to ensure that the problem has been adequately resolved.

The above procedures are being requested pursuant to Colorado Air Quality Control Commission's Regulation No. 8, paragraph III.C.5., entitled "Asbestos Spill Response".

Thank you for your cooperation and please let me know if I can be of assistance or if you have any further questions.

Gla Saville

Alan Saville Industrial Hygienist Compliance Monitoring and Enforcement Air Pollution Control Division (303) 331-8509

Jeff Stoll, Weld County HD Case file
FY '92 WP file 1.2.3.4.

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